

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

MONA DOBRICH, et al.

Plaintiffs,

v.

THE INDIAN RIVER SCHOOL BOARD, et al.,

Defendants.

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Civ. Action No. 05-cv-00120-JJF

**DEFENDANTS' RESPONSE IN OPPOSITION TO PLAINTIFFS' MOTION  
FOR AN EXTENSION OF TIME TO FILE CASE DISPOSITIVE MOTION**

Defendants, by and through their undersigned counsel, hereby oppose Plaintiffs' Motion for an Extension of Time to File a Case Dispositive Motion (the "Extension Motion"), and in support thereof respectfully states as follows:

1. According to the scheduling order issued on May 31, 2006, discovery on the issue of School Board prayer was to conclude on June 22, 2006. Dispositive motions were to be filed on July 21, 2006.

2. On June 6, 2006, because of the substitution of counsel for Defendant "and because of unavoidable delays in the transition of documents and client files from former counsel to [new counsel,]" Defendants filed an unopposed motion to extend the deadline for discovery on the issue of School Board prayer.

3. The parties thereafter mutually agreed to extend the dispositive motion deadline five times while the parties completed discovery, engaged in settlement negotiations, and executed the Settlement Agreement.

4. Most recently, at a hearing on January 15, 2008, the Court advised that the dispositive motion deadline for the School Board prayer issue would be thirty days from court approval of the Settlement Agreement.

5. Defendants understand that Plaintiffs' counsel has other commitments, but, given the significant amount of time that the parties have known about the deadline to file summary judgment motions and the year that has elapsed since the conclusion of discovery, these commitments should not preclude counsel from satisfying his obligations in the instant matter.

6. Defendants therefore oppose the Extension Motion.

WHEREFORE, Defendants respectfully request that this Court deny the relief sought in the Extension Motion.

Dated: March 11, 2008

Respectfully submitted,

/s/ Warren T. Pratt  
Warren T. Pratt (DE Bar I.D. #4334)  
Jason P. Gosselin (*pro hac vice*)  
DRINKER BIDDLE & REATH LLP  
1100 N. Market Street, Suite 1000  
Wilmington, DE 19801-1243  
Telephone: (302) 467-4200  
Facsimile: (302) 467-4201

*Attorneys for the Defendants*

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**CERTIFICATE OF SERVICE**

I hereby certify that on March 11, 2008, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF which will send notification of such filing to the following:

Thomas J. Allingham, II, Esq. (tallingh@skadden.com)  
Skadden Arps Slate Meagher & Flom, LLP  
One Rodney Square  
P.O. Box 636  
Wilmington, DE 19899  
(302) 651-3000  
*Attorneys for the Plaintiffs*

/s/ Warren T. Pratt  
Warren T. Pratt (DE Bar I.D. #4334)  
DRINKER BIDDLE & REATH LLP  
1100 N. Market Street, Suite 1000  
Wilmington, DE 19801-1243  
Telephone: (302) 467-4200  
Facsimile: (302) 467-4201

*Attorneys for the Defendants*